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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,082	01/28/2004	Alice Steinglass	13768.810.66	2408
47973 7590 10/30/2007 WORKMAN NYDEGGER/MICROSOFT 1000 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84111			EXAMINER PERUNGA VOOR, VENKATANARAY	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 10/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/766,082	Applicant(s) STEINGLASS ET AL.	
	Examiner Venkat Perungavoor	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4, 7-9, 15, 18, 19 and 21-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4, 7-9, 15, 18-19, 21-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see pages 9-11, filed 9/4/2007, with respect to the rejection(s) of claim(s) 4, 7-9, 15, 18-19, 21-23 under 35 USC § 102(e) as anticipated by US Patent 6832178 to Fernandez et al. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent Publication 2004/0225794 to Thornton.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 4, 7-9, 15, 18-19, 21-23 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication 2004/0225794 to Thornton.

4. Regarding Claim 21, Thornton discloses a digital computing system that includes a main control program exemplified by any of a game code module, an application program, a simulation or an operating system, and wherein the main control

Art Unit: 2132

program communicates with one or more functional user interface (UI) modules for data processing of a type which does not require human sensory interaction with a user of the computing system, as exemplified by displaying data entry fields, providing audio indications, video indications or other human perceptible sensory interface actions, a method of enabling change to any of the human sensory interactions such as visual data display, audio output or video display, without having to change the functional UI modules or main control program, comprising:

providing a common communication scheme for use between various types of UI modules such as functional UI modules and one or more UI plug-in modules for implementing UI features that provide human sensory interaction such as visual display, video display, or audio display or any combination of the foregoing see Fig. 5 item 113A, 113B, 113C;

networking a user interface (UI) engine having an engine interface with a main control program running on the computing system so as to provide communication of commands between the main control program and the UI engine see Par. 0071 & Par. 0074;

networking to the UI engine and to the main control program and/or other network components one or more functional UI modules for implementing UI features using functions that do not directly involve human sensory interaction with a user see Par. 0079;

networking to the UI engine one or more UI plug-in modules for implementing UI features that provide human sensory interaction such as visual display, video display, or audio display or any combination of the foregoing see Par. 0075;

said one or more functional UI modules communicating with the UI engine using said common UI communication scheme and thereby providing to one or more functional UI modules or to the main control program human sensory interaction as required by either the one or more functional UI modules or the main control program see Fig. 4 item 211; and

changing, adding or deleting one or more of the UI plug-in modules so as to change the human sensory interaction of one or more functional UI modules or the main control program, but otherwise leaving one or more functional UI modules and main control program unchanged see Abstract & Fig. 6 item 602 & Fig. 9 item 906.

5. Regarding Claim 23, Thornton discloses a digital computing system that includes a main control program exemplified by any of a game code module, an application program, a simulation or an operating system, and wherein the main control program communicates with one or more functional user interface (UI) modules for data processing of a type which does not require human sensory interaction with a user of the computing system, as exemplified by displaying data entry fields, providing audio

Art Unit: 2132

indications, video indications or other human perceptible sensory interface actions, a modular software interface system for enabling change to any of the human sensory interactions such as visual data display, audio output or video display, without having to change the functional user interface modules, comprising:

a UI engine having an engine interface, and the UI engine being networked through the engine interface with a main control program running on the computing system so as to provide communication of commands between the main control program and the UI engine, and the UI engine providing a common communication scheme for use between other UI modules see Fig. 4 item 211;

one or more functional UI modules for implementing UI features using functions that do not directly involve human sensory interaction with a user, said one or more functional UI modules being networked so as to communicate with

- i) the UI engine using said common UI communication scheme, and
- ii) main control program and/or other network components see Fig. 5; and

one or more UI plug-in modules for implementing UI features that provide human sensory interaction such as visual display, video display, or audio display or any combination of the foregoing, and said one or more functional UI modules being networked so as to communicate with the UI engine using said common UI communication scheme, the one or more UI plug-in modules providing human sensory interaction as required by either the main control program or other functional UI modules, but the UI plug-in modules being otherwise adapted to be changed with

affecting or requiring changes to the main control program or other functional UI modules see Abstract & Par. 0075-0079.

6. Regarding Claim 4, 15, Thornton discloses the data entry, data display and audio feature see Fig. 1 item 113.

7. Regarding Claim 7-9, 18-19, Thornton discloses the functional UI modules to specify user interface to select predefined set of sensory data and further modifying the sensory data during runtime see Par. 0112 & Par. 0116.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

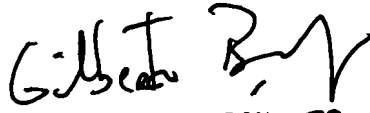
Art Unit: 2132

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkat Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8:30-5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VP/

Venkat Perungavoor
Examiner
Art Unit 2132
October 23, 2007


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SUPERVISORY PATENT EXAMINER
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